BPD-103US

Appln. No.: 10/563,681 Response Dated March 4, 2010

Reply to Final Office Action of January 6, 2010

Remarks/Arguments:

Claims 1-24 and 26 are pending. Claims 1-3 and 7-15 stand rejected. Applicants acknowledge with appreciation the indication that claims 6 and 26 would be allowed if rewritten in independent form. In view of the following, applicants submit that rewriting claims 6 and 26 is unnecessary.

Double Patenting Rejection

The Office Action sets forth at page 3, paragraph 9 *Claims 1-3 and 7-15 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-9 of copending Application No. 10/563,659 in view of Jerome ..."

Applicants submit herewith a Terminal Disclaimer obviating this rejection. Applicants respectfully submit that claims 1-3 and 7-15 are allowable.

Applicants also respectfully request rejoinder of dependant claims 4, 5 and 16-24.

In view of the remarks set forth above, applicants submit that the above-identified application is in condition for allowance which action is respectfully requested.

Respectfully submitted,

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Dated: March 4, 2010

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